



**VILLAGE OF BISCAYNE PARK**  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
[www.biscayneparkfl.gov](http://www.biscayneparkfl.gov)

**AGENDA**  
**SPECIAL COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Tuesday, April 12, 2011 at 7:30PM**



Indicates documents are attached to this agenda.

**Mayor and Commission**

**Roxanna Ross**  
Mayor

**Steve Bernard**  
Vice Mayor

**Robert "Bob" Anderson**  
Commissioner

**Albert Childress**  
Commissioner

**Bryan Cooper**  
Commissioner

**Ana Garcia**  
Village Manager

**John J. Hearn**  
Village Attorney

**Maria Camara**  
Village Clerk

**1 Call to Order**

**2 Roll Call**

**3 Pledge of Allegiance**

**4 Additions, Deletions or Withdrawals to Agenda**

**5 Public Comments Related to Agenda Items / Good & Welfare**

**6 Village Manager Report**

6.a Chief Glansberg - Recap of Crimewatch meeting on April 7, 2011.

**7 Consent Agenda**



7.a Approval of the Minutes  
> March 1, 2011 Regular commission meeting

**8 New Business**

8.a Approval of the International Union of Painters & Allied Trades  
Contract (Public Works Division)




**New Business - Moved from the April 5, 2011 Regular Commission Meeting**



8.b Commissioner Cooper: "New police department procedures vs.  
continuing crime waves in the Village." *(Continued from the April 5, 2011 meeting.)*



8.c Commissioner Cooper: "Future condensed short bullet list of agenda  
items to be sent on day 7, prior to Commission meeting, by Clerk to  
Commission". *(Moved from the April 5, 2011 meeting.)*

-  8.d Vice Mayor Bernard: A discussion of a new shade tree at the Recreation Center. *(Moved from the April 5, 2011 meeting.)*
-  8.e Vice Mayor Bernard: A discussion for an Ad Hoc Art Review Board. *(Moved from the April 5, 2011 meeting.)*
-  8.f Commissioner Cooper: Police style badges given to Commissioners *(Moved from the April 5, 2011 meeting.)*

## 9 Final Public Comment

## 10 Announcements

Wednesday, April 13th, Recreation Advisory Board at 6:30pm.

Saturday, April 16th, Egg Hunt at 10:00am

Monday, April 18th, Planning & Zoning at 6:30pm

Wednesday, April 20th, Parks & Parkway at 6:00pm

Thursday, April 21st, Ecology Board at 6:30pm

Thursday, April 21st, Code Enforcement Board at 7:00pm

Tuesday, April 26th, Code Review Board at 7:00pm

Tuesday, April 26th, Sunshine and Public Records Workshop at 7:00PM

Our next regular Commission meeting is Tuesday, May 3rd at 7:00PM.

## 11 Adjournment

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accomodation to participate in the proceedings should call Village Hall at (305) 899 8000 no later than four (4) days prior to the proceeding for assistance.

**DECORUM** - Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

Date: April 7, 2011

To: Mayor Roxana Ross  
Vice Mayor Steve Bernard  
Commission Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper  
Village Manager Ana M. Garcia

From: Maria C. Camara, Village Clerk

**Re: Minutes for March 1, 2011 Regular Commission Meeting**

As directed by the Commission at the April 5, 2011 commission meeting, the minutes for the March 1, 2011 regular commission meeting were reviewed for the following two factual errors:

1. On the bottom of page 4, Commissioner Cooper's question to Attorney Ambrosio was corrected.
2. On the top of page 6, a correction was made to reflect that a motion was not made, rather the Mayor requested the Commission to vote by a show of hands.

Thank you.



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John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Church of the Resurrection - 11173 Griffing Blvd.**  
**Biscayne Park, FL 33161**  
**Tuesday, March 1, 2011 at 7:00PM**

**1 Call to Order**

**2 Roll Call**

Mayor Roxanna Ross called the meeting to order at 7:07PM. In addition to Mayor Ross, present were:

Vice Mayor Steve Bernard  
Commissioner Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

Present from staff were:

Village Manager Ana Garcia  
Village Clerk Maria Camara  
Attorney Chris Ambrosio  
Finance Director Michael Arciola  
Police Chief Mitchell Glansberg  
Police Captain Antonio Sanchez  
Public Works Director Bernard Pratt  
Public Works Administrative Assistant Cesar Hernandez  
Building Official Sal Annese

**3 Pledge of Allegiance and Moment of Silence**

**4 Presentations**

Police Chief Mitchell Glansberg and Police Captain Antonio Sanchez provided a presentation of the Biscayne Park Police Department - 2010 A year in review.

Chief Glansberg presented newly hired reserve police officer Jesenia Cotilla.

**5 Additions, Deletions or Withdrawals to the Agenda**

< None >

## **6 Public Comments Related to Agenda Items / Good Welfare**

Barbara Kuhl - Agenda item 13.d Ad Hoc Art Review Committee

Junior Fuenmayor - Agenda item 13.g Kimley-Horn traffic study - closing of the median at 121st street

Gage Hartung - Item 10.a Ordinance 2011-01 Fencing Allowances and Fencing Workshop

Tracy Truppmann - Item 10.a Ordinance 2011-01 Fencing Allowances

Carl Bickell - Item 10.a Ordinance 2011-01 Fencing Allowances

Elizabeth Martinez - Item 13.g Kimley-Horn traffic study - closing of the median at 121st street

Mario Rumiano - Item 13.g Kimley-Horn traffic study - closing of the median at 121st street

## **7 Village Manager Report**

Manager Garcia provided a status/report on:

- > Village of Biscayne Park recognition as Tree City USA 2010. Earth Day / Arbor Day / Tree City USA celebration scheduled for Saturday, May 14, 2011.

- > Drainage improvement project update.

- > Finance report provided by Finance Director Michael Arciola.

- > Movie Night scheduled for Friday, March 4, 2011 starting at 6:30PM.

- > Aventura Hospital invitation to visit the hospital and provide information on their services.

- > Clerk Camara advised that board appointments are needed for Code Enforcement, Code Review and Recreation Advisory Board.

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- > Sal Annese, Building Official, provided an update on the FPL Hardening project. Vice Mayor Bernard's agenda item 13.f, discussion of the FPL Hardening project was moved up.

Vice Mayor Bernard's concerns:

- > Is permitting required?

- > What does the FPL Franchise Agreement ordinance and other ordinances state in relation to permitting?

- > Removal of double poles.

- > States most cities require bonds when work is done within easements.

- > How is the tax roll affected once the project is completed?

- > Completed plans to be provided by FP&L.

- > What conditions can the Village set?

Mayor Ross provided information on her discussion with Ronald Brise, our former state representative who was recently appointed to the Public Service Commission (PSC) which has the oversight over all utilities. Mr. Brise's office is available to provide information and guidance on this project, and the Manager is encouraged to work with them.

Commissioner Childress provided information on state statute 489 that states utility companies are exempt from permitting requirements. This state statute is above local ordinances.

Attorney Ambrosio advised that section 3.12 of the FPL Franchise Agreement ordinance has no express waiver or limit of a permit. Attorney Ambrosio was directed to do further reconciliation of the ordinance and state statutes.

Vice Mayor Bernard makes a motion to direct the attorney to do a review and reconciliation of our ordinances and any applicable statutes for the purpose of protecting the Village, with a caveat that once that is done and results provided, that the building official is allowed to do his work without interference from the Commission. It was seconded by Commissioner Cooper.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, Commissioner Childress and Commissioner Cooper.

None opposed.

Motion carries: 5/0

Attorney Ambrosio asked for a timeframe to provide a reply. Mayor Ross requested to receive the information within 10 days. Manager Garcia would wait for the attorney's response to determine if a special commission meeting would be needed to discuss further.

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Village Manager Garcia resumed her report:

> Provided a report on the situation with the restrooms at the Recreation Center and that repairs had been completed.

## **8 Consent Agenda**

Vice Mayor Bernard pulls items:

> 8a, the minutes for January 11, 2011, January 20, 2011, and February 1, 2011 for discussion.

> 8.b Resolution 2011-11 Awarding the Bid for Median Maintenance Services, which is moved to agenda item 11.a.

> 8.c Resolution 2011-12 Authorizing the Village manager to obtain appraisals on real property, which is moved to agenda item 11.b.

Left on consent is Item 8.d, approval authorizing Chief Glansberg to sign the Mutual Aid Agreement between the Village and FDLE.

Commissioner Childress makes a motion to accept the item left on the consent agenda. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, Commissioner Childress and Commissioner Cooper.

None opposed.

Motion carries: 5/0

Item 8a: On the minutes of January 11, 2011, Vice Mayor Bernard makes a motion to approve the minutes with the corrections and additions he articulated. It was seconded by Commissioner Cooper.

The motion was called to a vote:

All in favor: Vice Mayor Bernard and Commissioner Cooper.

All opposed: Mayor Ross, Commissioner Anderson and Commissioner Childress

Motion fails: 2/3

Commissioner Childress makes a motion to approve the minutes of January 11, 2011 as submitted by the Clerk. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson and Commissioner Childress

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

On the minutes of January 20, 2011, Vice Mayor Bernard makes a motion to approve the minutes with the corrections and additions he articulated. It was seconded by Commissioner Cooper.

The motion was called to a vote:

All in favor: Vice Mayor Bernard and Commissioner Cooper.

All opposed: Mayor Ross, Commissioner Anderson and Commissioner Childress

Motion fails: 2/3

Commissioner Anderson makes a motion to approve the minutes of January 20, 2011 as submitted by the Clerk. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson and Commissioner Childress

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

On the minutes of February 1, 2011, Vice Mayor Bernard makes a motion to approve the minutes with the corrections and additions he articulated. It was seconded by Commissioner Cooper.

Commissioner Cooper asks Attorney Ambrosio whether he considers the fact that the majority of the commission has chosen to vote against the correction of what Vice Mayor Bernard or Commissioner Cooper consider factual errors, as a violation and falsification of the public record; and whether he could provide information and iterate the Florida Statute that deals with public records.

Attorney Ambrosio advised he would look at state statutes that speak to maintaining commission records, summary minutes and verbatim minutes.

The motion was called to a vote:

All in favor: Vice Mayor Bernard and Commissioner Cooper.

All opposed: Mayor Ross, Commissioner Anderson and Commissioner Childress

Motion fails: 2/3

Commissioner Anderson makes a motion to approve the minutes of February 1, 2011 as submitted by the Clerk. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson and Commissioner Childress

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

Vice Mayor Bernard makes a motion to amend the resolution on summary minutes to indicate that both the topic that a resident speaks on and the position of the speaker, pro or con, is included in the summary minutes. It was seconded by Commissioner Cooper.

After discussion the motion was called to a vote:

All in favor: Vice Mayor Bernard and Commissioner Cooper.

All opposed: Mayor Ross, Commissioner Anderson and Commissioner Childress

Motion fails: 2/3

**9 Public Hearings**

**< None >**

**10 Ordinances - First Reading**

**Ordinance 2011-01**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2 OF THE VILLAGE OF BISCAYNE PARK LAND DEVELOPMENT CODE ENTITLED "DEFINITIONS" **BY ADDING DEFINITIONS FOR FENCES AND CORNER SIDE YARDS** AND AMENDING THE DEFINITION FOR HEDGE; AMENDING CHAPTER 11 OF THE VILLAGE OF BISCAYNE PARK LAND DEVELOPMENT CODE ENTITLED "ACCESSORY STRUCTURES ", BY AMENDING SECTION 11.6; **ADDRESSING CORNER SIDE FENCES AND WALLS, HEIGHT**, AND RELATED CHANGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

Attorney Ambrosia read the title of the ordinance.

Prior to opening the meeting for public comment on this ordinance, the Mayor asked by a show of hands whether there was consensus to have the Clerk capture both the topic of the speaker and their position, whether pro or con, for this particular item.

By a show of hands:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, and Commissioner Cooper.

All opposed: Commissioner Childress

Motion carries: 4/1

Mayor Ross opened the meeting for public comment on the ordinance:

Gary Kuhl - Pull the ordinance from the agenda and have the Code Review Board address the issues brought up at the February 24th Fencing Workshop.

Tracy Truppman - Agrees to delay the ordinance; for a corner lot allow a 6' fence with required planting in the front at least 1/2 or 1/3 of the height of the fence.

Barbara Kuhl - Have the ordinance go back to the board; phase out chain link fence in front and side yards; strengthen maintenance; agrees to allow a low wall in the front and to allow a gate as part of a hedge.

Dale Blanton - Have the ordinance go back to the board; in regards to including a speaker's position on a topic, to also allow a speaker be given the opportunity to speak again after hearing all other comments in their opinion has changed.

Vice Mayor Bernard makes a motion to postpone the first reading of the ordinance and to have Code Review use the Workshop and commission comments to make the ordinance tighter, and to make it an all inclusive ordinance and address all issues relating to fences, hedges, walls and gates anywhere on the property.

After discussion, the motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, and Commissioner Cooper.

Opposed: Commissioner Childress and Commissioner Anderson

Motion carries: 3/2

Code Review Chair Gage Hartung asked for clarification on the direction given to the board at the February 1st meeting.

After further discussion a motion made by Commissioner Anderson to reconsider the motion made at the February 1st meeting giving the Code Review board direction to craft language on front yard fencing. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson and Commissioner Childress.

All opposed: Vice Mayor Bernard and Commissioner Cooper

Motion carries: 3/2

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Mayor Ross asks for a five minute recess.

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The meeting resumes and Mayor Ross clarifies that after the Code Review Board completes their re-review of the entire ordinance as directed by the motion, that it comes back to the Commission as draft legislation.

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## **11 Resolutions**

### **11.a Resolution 2011-11**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO AWARD THE BID FOR MEDIAN MAINTENANCE SERVICES BETWEEN THE VILLAGE AND GROUNDKEEPERS, INC.;** PROVIDING FOR AN EFFECTIVE DATE

Attorney Ambrosio read the title of the resolution.

Manager Garcia provided background on the resolution.

After discussion Commissioner Anderson makes a motion to accept the Manager's recommendation to approve the resolution. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, and Commissioner Anderson.

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

Commissioner Anderson makes a motion to extend the meeting for an additional five minutes to complete the Resolutions section of the agenda. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress, and Commissioner Anderson, and Commissioner Cooper.

None opposed.

Motion carries: 5/0

### **11.b Resolution 2011-12**

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE VILLAGE MANAGER TO OBTAIN APPRAISALS ON REAL PROPERTY LOCATED WITHIN THE VILLAGE WHEN NEEDED TO PURSUE MUNICIPAL OPPORTUNITIES INVOLVING PURCHASING OF REAL PROPERTY FOR USE BY THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE**

Attorney Ambrosio read the title of the resolution.

After discussion Commissioner Anderson makes a motion to accept the Manager's recommendation to approve the resolution. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, and Commissioner Anderson.

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

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The Clerk read the announcements:

**Announcements**

All public meetings are held at the Ed Burke Recreation Center, 11400 NE 9th Court, Biscayne Park.

Friday, March 4th - MOVIE NIGHT in the Park starting at 6:00PM.

Monday, March 7th, Planning & Zoning at 6:30PM

Tuesday, March 8th, Code Review at 7:00PM

Wednesday, March 9th, Recreation Advisory Board at 6:30PM

Tuesday, March 15th, Miami Dade County Special Election - 7AM to 7PM

Tuesday, March 15th, Code Enforcement at 7:00PM

Wednesday, March 16th, Parks & Parkway at 6:00PM

Thursday, March 17th, Ecology Board at 6:30PM

Monday, March 21st, Planning & Zoning at 6:30PM

Tuesday, March 22nd, Code Review at 7:00PM

The next regular Commission meeting is Tuesday, April 5th, at 7:00PM.

Motion made by Commissioner Anderson to adjourn and seconded by Commissioner Childress.

The meeting was adjourned at 11:18PM

Commission approved on \_\_\_\_\_.

Attest:

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Roxanna Ross, Mayor

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Maria Camara, Village Clerk

**village clerk**

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**From:** Bryan Cooper [bryancooper7@yahoo.com]  
**Sent:** Sunday, January 23, 2011 9:29 PM  
**To:** villageclerk@biscayneparkfl.gov; bcooper@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov; John Hearn; attyhearn@aol.com  
**Subject:** Re: Agenda Item Request Form.doc  
#1

**Date:** (Please refer to the email sent when this was first placed on the agenda in Dec. of 2010).

**To:** Clerk; Manager, for inclusion on agenda

**From:** Bryan Cooper

**Re:**  
12.a Commissioner Cooper: New police department procedures vs. continuing crime waves in the Village.

**Background Analysis:** None; this is a discussion start; in part based on the campaign platforms of both Mayor Ross, Mr. Childress and myself. In addition, the police chief is in possession of long-range crime statistics for VOBP, that he showed me during union negotiations, and I reviewed briefly; it would be good for Village administration to provide this to all Commissioners for the February meeting. In addition, some Commissioners are aware of the idea of Community policing as a concept. Commissioners might pursue their own research of Community Policing; Crime Mapping; Police Visibility; and other themes that we can discuss in the context of our unique Village. We also see the use of high definition camera technology being used by municipalities in law enforcement, with potential applications in our Village.

**Fiscal/Budgetary Impact:** None identified; if any consensus is created, then the Manager can be directed to research any budget impact in cooperation with our police chief.

**Recommendation:** Aside from specific possible ideas Commissioners might bring to the meeting, I would suggest our considering a weekend workshop whereby the full Commission engages our police department in discussing possible creative initiatives that would be unique for our special Village; also possible technology related initiatives and/or grants.

#2

1/24/2011

**village clerk**

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**Subject:** FW: Agenda Item Request Form.doc

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**From:** Bryan Cooper [mailto:bryancooper7@yahoo.com]  
**Sent:** Sunday, January 23, 2011 9:29 PM  
**To:** villageclerk@biscayneparkfl.gov; bcooper@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov; John Hearn; attyhearn@aol.com  
**Subject:** Re: Agenda Item Request Form.doc

#2

Date: (Please refer to the email sent when this was first placed on the agenda in Dec. of 2010).

To: Clerk; Manager, for inclusion on agenda

From: Bryan Cooper

**Re:** Future condensed short bullet list of agenda items to be sent on day 7, prior to Commission meeting, by Clerk to Commission.

**Background Analysis:** In the past year, there have been times that the agenda with backup was not presented to Commissioners for review until shortly before the date of the Commission meeting. It would be helpful if the Clerk, upon closing the deadline for submission of new agenda items from Commissioners, compiled a simple bullet list of clear, understandable titles of all new agenda items and forward them by email to Commissioners.

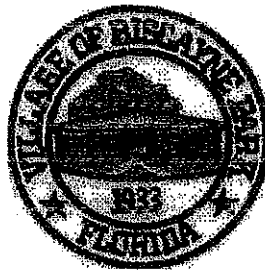
**Fiscal/Budgetary Impact:** None; a few minutes of the Clerks time to send a brief summary. This will foster a higher degree of transparency and hopefully collegiality, by allowing all Commissioners to see a week in advance the other items set to be brought forth by their colleagues.

**Recommendation:** Ask Manager to direct the Clerk to provide this list to the Commission following the deadline for submission of new agenda items.

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**From:** village clerk <villageclerk@biscayneparkfl.gov>  
**To:** bcooper@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov  
**Sent:** Thu, January 20, 2011 6:34:56 PM  
**Subject:** Agenda Item Request Form.doc

1/24/2011



Date: 11/29/10

To: Clerk Maria Camara

From: Commissioner Steve Bernard

Re: November Agenda Item

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**REQUEST:**

A DISCUSSION OF: New shade tree at Recreation Center

**BACKGROUND AND ANALYSIS:**

Due to the previous removal of a large shade tree at the park, a group of 30 residents have donated enough money to install one large oak tree and associated irrigation.

Tree specs, warranty and photo will be provided prior to the 12/7/10 Commission Meeting.

**FISCAL/BUDGETARY IMPACT:**

None, all costs are covered by donation.

**RECOMMENDATION:** Approve

**village clerk**


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**From:** Steve Bernard [steve@stevebernardarchitect.com]  
**Sent:** Tuesday, December 07, 2010 11:51 AM  
**To:** villagemanager@biscayneparkfl.gov; villageclerk@biscayneparkfl.gov; attyhearn@aol.com  
**Cc:** vobparchives@biscayneparkfl.gov; Mark; Rob Pushkin  
**Subject:** Shade tree at Rec Center

Ana,

Attached is the final proposal for the shade tree, along with some photos that were just taken for tonight's meeting.

The work includes delivery, installation as per FNGLA (Florida Nursery Growers & Landscape Association) guidelines, and irrigation (tied to the existing sprinkler pump nearby) that will water the tree 3 to 5 times a day, as well as a one year warranty. The tree has already been root pruned, and can be installed prior to December 18th Winterfest

As per your direction, I discussed this specific tree with Mr. Mark Torok, Senior Forester, Florida Division of Forestry, and he came to the conclusion that this size tree (+/-25' high, caliper between 8" and 10", about a 15' spread) is an approved species and size, provided that proper installation (the tree will also be installed by an arborist) and irrigation is used, and that a Warranty is included. I am copying him on this email, so that he can see the final tree to be installed and contact me with any questions or concerns.

As you know, both the Recreation Advisory Board and Parks & Parkway Board have previously approved the concept of a large shade tree, but the chosen species was the sticking point to be agreed to, with a live oak always being preferred. My attempts to relocate an existing tree either from the Village or nearby communities could never be agreed upon, and I believe that creating "instant shade" with a hardy species will give us the best result for much needed natural shade for many years to come.

I hope that you will recommend that this donation be accepted by the Village as per our many previous conversations, and assuming this is approved tonight, I'll notify the 37 Residents who contributed their time and money about having a small ceremony at Winterfest,

Please distribute to the Commission prior to the meeting, so that they can review.

Sincerely,

Steve Bernard  
 Commissioner  
 Village of Biscayne Park  
 305-538-6324 (I don't have my cell phone today)

cc Mark Torok, Forestry Division of Forestry (954) 475-4194  
 Rob Pushkin, Reliable Property Services (305) 866-9625

----- Forwarded Message -----

**From:** Rob Pushkin <robpushkin@rpsfl.com>  
**To:** Steve Bernard <steve@stevebernardarchitect.com>  
**Sent:** Tue, December 7, 2010 6:49:20 AM  
**Subject:** Shade Tree Proposal

Thank You,

Rob Pushkin

12/29/2010

Reliable Property Services  
Irrigation Landscape Maintenance Lighting

305.866.9625

[www.rpsfl.com](http://www.rpsfl.com)

[www.lightscapingusa.com](http://www.lightscapingusa.com)

Reliable Property Services

19741 NE 24 Ave  
Miami, FL 33180

# Estimate

Date	Estimate #
12/7/2010	10210

Name / Address
Village of Biscayne park

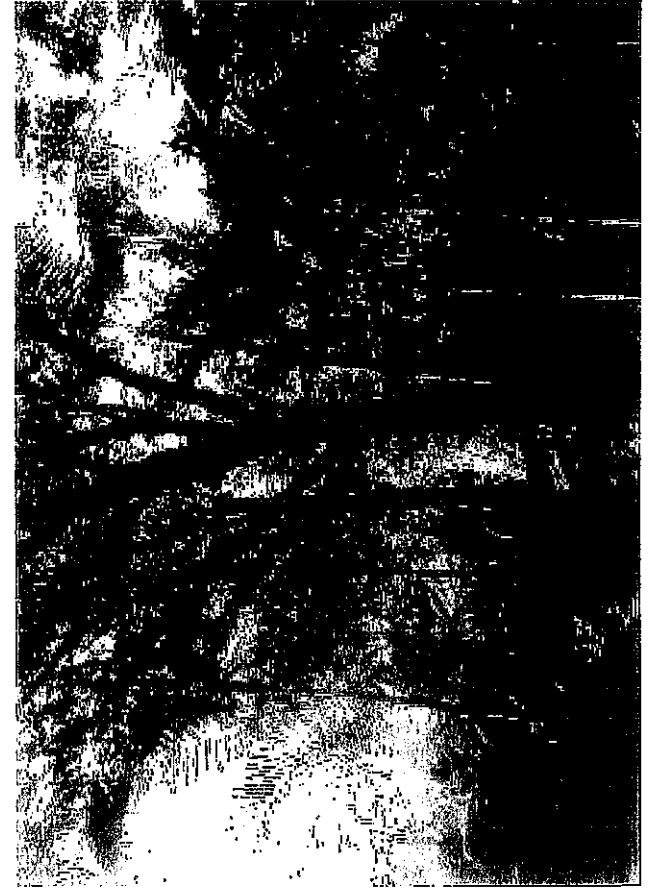
P.O. No.	Project

Description	Qty	Rate	Total
Install new Oak Tree with irrigation. Approx. 25' height.			
Live Oak approx. 25 ' ht w/ irrigation	1	2,200.00	2,200.00
1 year warranty.			

	<b>Total</b>	\$2,200.00
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Phone #
305.866.9625

E-mail	Web Site
robpushkin@rpsfl.com	rpsfl.com & lightscapingusa.com



## ACCEPTANCE OF GIFT

WHEREAS, numerous residents of the Village of Biscayne Park (hereinafter the "Residents"), wish to donate a sum of currency not to exceed two thousand two hundred and xx/100 dollars (\$2,200.00) to the Village of Biscayne Park (hereinafter the "Village") for the purchase and installation of an Oak tree as well as the associated irrigation; and

WHEREAS, the Village this day expresses its gratitude and acknowledges receipt from the Residents of a gift of currency not to exceed two thousand two hundred and xx/100 dollars (\$2,200.00) for the purchase and installation of an Oak tree as well as the associated irrigation; now, therefore:

1. It is the intention of the Residents to vest all incidents of absolute ownership and liability in said currency in the Village from this date forward.

2. The Village does hereby release and hold the Residents harmless and waive all claims against the Residents, its agents, officers and employees, from all claims, actions, and causes of action, damages, losses and liabilities, costs, or expenses whatsoever, arising out of the donation of the Oak tree and its associated irrigation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
Maria Camara, Village Clerk

\_\_\_\_\_  
Roxanne Ross, Mayor

State of Florida  
County of Dade

On this, the \_\_\_\_ day of December, 2010, before me, the undersigned Notary Public of the State of Florida, personally appeared \_\_\_\_\_, whose names are subscribed to the within instrument, and they acknowledge that they executed it.

WITNESS my hand  
and official seal

\_\_\_\_\_  
Notary Public, State of Florida  
Persons signing are personally known

**village clerk**

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**From:** ecotilt [ecotilt@bellsouth.net]  
**Sent:** Saturday, December 18, 2010 5:04 PM  
**To:** villagemanager@biscayneparkfl.gov  
**Cc:** village clerk  
**Subject:** Ecology Board Motion Regarding the Donation by the Bernards and Residents - Oak Tree for the Recreation Center

Dear Ms. Garcia,

Thank you for attending our last meeting and working with the Ecology Board. Below is a copy of the motion that was passed regarding the donation by the Bernard's and other residents to purchase shade trees for the Ed Burke Recreation Center. Please forward this email to all the Commissioners prior to January's meeting.

*This is the motion that carried unanimously: We are grateful to all the resident and the Bernard's for raising monies to assist with canopy enhancements and choosing native vegetation. It is a recommendation of the board that the monies be spent on a variety of native species that aesthetically enhance and increase the native biodiversity of the park, green spaces, or entry ways.*

The members expressed consensus that with these funds, the Village could obtain many large native trees specimens and recommend considering additional native species such as mahogany, pigeon plum, etc., which can be used to enhance the recreation center and/or other green spaces.

Thank you.

Respectfully,

Tracy Truppmann

Ecology Board Chairperson

12/20/2010

shouldn't get this with the live oak.

Mark

**Mark B. Torok**

Senior Forester

FL Division of Forestry: Everglades District

3315 SW College Ave

Davie, FL 33314

Phone: (954) 475-4194

Fax: (954) 475-4126

E-mail: [Mark.Torok@freshfromflorida](mailto:Mark.Torok@freshfromflorida)

Serving Broward, Miami-Dade, Monroe & Palm Beach Counties

---

**From:** Steve Bernard [mailto:[steve@stevebernardarchitect.com](mailto:steve@stevebernardarchitect.com)]

**Sent:** Monday, January 31, 2011 12:28 PM

**To:** Torok, Mark

**Cc:** [villagemanager@biscayneparkfl.gov](mailto:villagemanager@biscayneparkfl.gov); [vobparchives@biscayneparkfl.gov](mailto:vobparchives@biscayneparkfl.gov); [attyhearn@aol.com](mailto:attyhearn@aol.com)

**Subject:** Proposed Shade Tree location - Biscayne Park

Mr. Torok,

Thank you again for speaking with me last week regarding the proposed new Oak shade tree location.

To follow up on our discussion regarding the Manager's "fifteen foot away from any concrete" concern, I wanted you to see the conditions at the playground, so I am attaching an aerial view of the original Banyan tree, as well as the location of the newly planted oaks, and the approximate location of the proposed larger tree.

As you said (and I agreed), as long as the tree is far enough from the existing building, and at least 6' from the existing concrete sidewalk, there shouldn't be any problems locating it as shown, especially since the newly planted trees are in almost the exact same location as the new one is proposed.

If you have any concerns, or if I didn't understand you completely, please let me know, as the Commission will be voting to accept or deny the tree tomorrow night, and I want to make sure that we're proceeding with best practices in mind.

Sincerely,

Steve Bernard

Commissioner

Village of Biscayne Park

305-588-6177

cc: Village Manager

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 9.0.872 / Virus Database: 271.1.1/3408 - Release Date: 02/01/11 02:34:00

2/1/2011

## **village clerk**

---

**From:** village clerk [villageclerk@biscayneparkfl.gov]

**Sent:** Monday, January 31, 2011 12:28 PM

**To:** 'villageclerk@biscayneparkfl.gov'

**Cc:** 'agarcia@biscayneparkfl.gov'

**Subject:** FW: Tree Donation

To the Full Commission: Below are the responses from Vice Mayor Bernard in regards to Commissioner Andersons questions 3, 4 and 5. Thank you.

Maria C. Camara, Village Clerk

Village of Biscayne Park

640 NE 114th Street

Biscayne Park, FL 33161

Tel: 305 899 8000, Ext. 201

email: [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)

---

**From:** Steve Bernard [mailto:steve@stevebernardarchitect.com]

**Sent:** Monday, January 31, 2011 11:56 AM

**To:** villageclerk@biscayneparkfl.gov

**Cc:** agarcia@biscayneparkfl.gov; attyhearn@aol.com; vobparchives@biscayneparkfl.gov

**Subject:** Re: Tree Donation

To answer Commission Anderson's questions:

#3. There were 37 (mostly) residents, the list follows. Each resident donated a \$60 cash stipend for a total of \$2,220 for the expressed purpose of replacing the removed banyan tree with a large shade tree.

#4. The money has been in a personal account until I could obtain a commitment from the Village to put it towards a replacement tree, and I will write a check to the Village as soon as the Resolution is approved.

#5. I would recommend that we do not sign the Agreement with the Contractor until the \$2,200 check clears.

Steve

### **Volunteers/Donors, in alphabetical order:**

Susana Armengol

Maria Camara

Karon Coleman

Bryan Cooper

Linda Dillon

Linda Domin

Mariana Ferro

1/31/2011

Mariluce & Mike Gruener

Mayor John Hornbuckle

John Ise

Barbara Kiers

Barbara & Gary Kuhl

Sandy & Commissioner Chester Morris

James Murphy

Katty & Tony Perez-Pinon

Penny Phillips

Sira & Filipe Ramos

Amy & Roberto Refeca

Dan Rodriguez

Mario Rumiano

Elaine & Steve Smith

Lesley Tompsett

Dave Twitchell

Alba & Dan Ward

Kelvyn Whitfield

Gloria Wilder

Josh Young

Claudia & John Zoeller

---

**From:** village clerk <villageclerk@biscayneparkfl.gov>

**To:** villageclerk@biscayneparkfl.gov

**Cc:** agarcia@biscayneparkfl.gov; attyhearn@aol.com

**Sent:** Mon, January 31, 2011 11:08:32 AM

**Subject:** FW: Tree Donation

To the Full Commission:

I just received the DRAFT minutes from the Recreation Advisory Board. Please see attached. Thank you.

1/31/2011

Maria C. Camara, Village Clerk  
Village of Biscayne Park  
640 NE 114th Street  
Biscayne Park, FL 33161  
Tel: 305 899 8000, Ext. 201  
email: [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)

---

**From:** village clerk [<mailto:villageclerk@biscayneparkfl.gov>]  
**Sent:** Monday, January 31, 2011 9:08 AM  
**To:** 'villageclerk@biscayneparkfl.gov'  
**Cc:** 'agarcia@biscayneparkfl.gov'  
**Subject:** FW: Tree Donation

Commissioner Anderson and Full Commission: Please see answers below. Thank you.

Maria C. Camara, Village Clerk  
Village of Biscayne Park  
640 NE 114th Street  
Biscayne Park, FL 33161  
Tel: 305 899 8000, Ext. 201  
email: [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)

---

**From:** anderson11905@gmail.com [<mailto:anderson11905@gmail.com>] **On Behalf Of** Commissioner Bob Anderson  
**Sent:** Sunday, January 30, 2011 9:58 AM  
**To:** Garcia Ana  
**Cc:** Village clerk; Village Attorney; Archives  
**Subject:** Tree Donation

Good Morning Everyone

There are still a couple of outstanding questions regarding the possible tree donation - same as those asked about the art sculpture donation - that I would like us to have answers to before the meeting Tuesday.

1. The Boards - we have ecology's recommendation and Maria has let us know (in the agenda packet) we will have P&P and Rec as soon as available as to their recommendations. Attached are the DRAFT minutes from Parks & Parkway's meeting on January 26th. We have not yet received the minutes from the Rec Advisory Board.
2. Once you are ok with where the tree or trees will be placed (Ana I would expect you to be the one to work with the boards) I would like to see a marker placed at the location so that any interested residents could comment (just like was done with the sculpture). Manager Garcia has done a walk-through with Parks & Parkway Chair, Dan Keys, and will have a flag placed in the location they discussed.

In regards to the following three questions, we do not have the answer.

3. As was asked with the sculpture - who are the donors?
4. As was asked with the sculpture - who is writing the check?

1/31/2011

5. If if the Village is writing the check have all the funds been deposted in Village accounts and cleared?

--

Please E-Mail if you would like to be add or removed from this information list

Village of Biscayne Park

Commissioner

Bob Anderson

E-Mail [BANDERSON@BISCAYNEPARKFL.GOV](mailto:BANDERSON@BISCAYNEPARKFL.GOV)

PH 305-899-8000

**village clerk**

---

**To:** villageclerk@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov; attyhearn@aol.com  
**Subject:** FW: FW: Tree Donation

Commissioner Bernard and Full Commission: Here is the response from Manager Garcia to your additional questions:

Dario, the project manager for Aquatica Landscaping will meet me at the park tomorrow and he will give me a full prognosis on the two trees in question. The only person that has given me their opinion on the two trees has been Dan Keys. Dario from Aquatica saw them back in October or November, and Mark Torok from Forestry saw them back then also. Neither one of them at that time were ready to write off the tree and basically told us to keep watering and Dario would look at them again and he will tomorrow. The trees were planted in July so they are still under warranty. If the location is same as existing trees there should be no problem. I can't be certain until tree is planted. In regards to bracing it would be up to the vendor, I have never planted or been involved in planting such a large new tree, all safety questions would need to be answered by this vendor. I have not dealt with the vendor. It is Vice Mayor Bernard's contact. According to direction of commission I will work with this new vendor and also Aquatica to ensure everything is done right and safe. The location of the new trees we planted at park this past year was determined by me working as a team with Parks and Parkways this past summer. On way to my next appointment, thank you.

Sent via BlackBerry by AT&T

Maria C. Camara, Village Clerk  
 Village of Biscayne Park  
 640 NE 114th Street  
 Biscayne Park, FL 33161  
 Tel: 305 899 8000, Ext. 201  
 email: [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)

---

**From:** anderson11905@gmail.com [mailto:anderson11905@gmail.com] **On Behalf Of** Commissioner Bob Anderson  
**Sent:** Monday, January 31, 2011 9:31 AM  
**To:** villageclerk@biscayneparkfl.gov; Garcia Ana  
**Cc:** Archives  
**Subject:** Re: FW: Tree Donation

Hi Maria

Thanks for the update. I have a few more questions that I hope we will have answers for before the meeting (in addition to the remaining ones from my first email).. I am all for extra shade and I am sure our residents will be thrilled to have it but there are questions that need answering to make the best decision.

1. Who determined that those 2 trees need to be removed - I know most people (and a couple of commissioners) usually get really upset with us when we don't try to save trees even if we are putting others in..

1/31/2011



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Board Members

John Holland  
Chair

James Murphy  
Vice Chair

Grisette Marcos-Roque

Rachel O'Conner

Helga Silva

**Draft  
Pending Board  
Approval**

## MINUTES RECREATION ADVISORY BOARD Wednesday, January 12, 2011 at 6:30PM

1) Call to order

2) Roll Call - John Holland, James Murphy, Grisette Marcos were present, Rachel O'Conner has been confined to bedrest and was absent, as was Helga Silva.

3) A discussion on the shade tree was added to the agenda as 5a) per Commissioner Bernard's kind request

4a) Old Business - Movie Night Updates

- Issa was able to relay Rachel's conversation with Shawn from Mooie's; we have a screen available for rent at \$250; Shawn can provide sound and projector per previous discussions.
- I have no notes nor recollection on the possibility of additional sponsorships from Tropical Chevrolet and Knights of Columbus, except that Issa would pursue same.
- Target date of Friday the 18th of February, which was later changed as I understand it to March 4th.
- Publicity - Issa was to include in the newsletter, John was (is) to reach out to the Commissioners (will do tomorrow), Issa will utilize his contacts list through Coach Joe and the rec teams, a flyer should be forthcoming from Issa, and Grisette would reach out to the Herald events team.
- Execution - Agreed that we should establish a meeting time, a start time, and an intermission, to include a message from sponsors, any important village messages, and a "let's go out the lobby" type of tongue-in-cheek short. The cost of airing the movie (copyright etc.) would be investigated and Issa has done this

now. We would also agree to solicit donations (voluntary) as well as ask residents to cleanup any refuse (we will provide bins)

- What Movie? - We were all supposed to think about this and I keep coming back to wanting to do something that kids will enjoy but has adultish humor and sensibilities (James and the Giant Peach or something like that)

4b) Old Business - Clubs - My notes here are either missing or inadequate; basically there was agreement that social networking via Facebook would be the best bet to raise awareness of the clubs and potentially add more (Bingo, etc.)

#### 5a) New Business - Shade Tree

A discussion was held regarding the proposed shade tree addition to the recreation center area. Commissioner Bernard kindly brought everyone up to speed on the sad state of the existing oak trees, which would not provide shade anyway for many years given their diminutive size. He also presented an estimate from Rob Pushkin at Reliable Property Services to install a large oak at or near to previous shade tree location, with consideration being given to the new sidewalks when deciding exactly where to install the oak. We were also advised that this would be funded by donations from 30+ residents, an important consideration given the current economic climate. Based on our own observations, the documents provided by Commissioner Bernard, and the fact that we all like shade in the summer, a vote was held and by a unanimous decision of 3-0, the Recreation Board voted in favor to recommend that this initiative be formally approved at the next regular Commission meeting.

6) Public Comments - There were some ideas for movies but my notes are incomplete

7) Announcements - None that I can recall

8) Adjournment



Existing Oak Trees at Proposed Location

(Original Contractor will relocate new trees at no cost because these are not thriving)

**village clerk**

---

**From:** Steve Bernard [steve@stevebernardarchitect.com]  
**Sent:** Monday, January 31, 2011 12:28 PM  
**To:** torokm@doacs.state.fl.us  
**Cc:** villagemanager@biscayneparkfl.gov; vobparchives@biscayneparkfl.gov; attyhearn@aol.com  
**Subject:** Proposed Shade Tree location - Biscayne Park  
Mr. Torok,

Thank you again for speaking with me last week regarding the proposed new Oak shade tree location.

To follow up on our discussion regarding the Manager's "fifteen foot away from any concrete" concern, I wanted you to see the conditions at the playground, so I am attaching an aerial view of the original Banyan tree, as well as the location of the newly planted oaks, and the approximate location of the proposed larger tree.

As you said (and I agreed), as long as the tree is far enough from the existing building, and at least 6' from the existing concrete sidewalk, there shouldn't be any problems locating it as shown, especially since the newly planted trees are in almost the exact same location as the new one is proposed.

If you have any concerns, or if I didn't understand you completely, please let me know, as the Commission will be voting to accept or deny the tree tomorrow night, and I want to make sure that we're proceeding with best practices in mind.

Sincerely,

Steve Bernard  
Commissioner  
Village of Biscayne Park  
305-588-6177

cc: Village Manager



Aerial photo  
prior to  
removal of  
Banyan tree

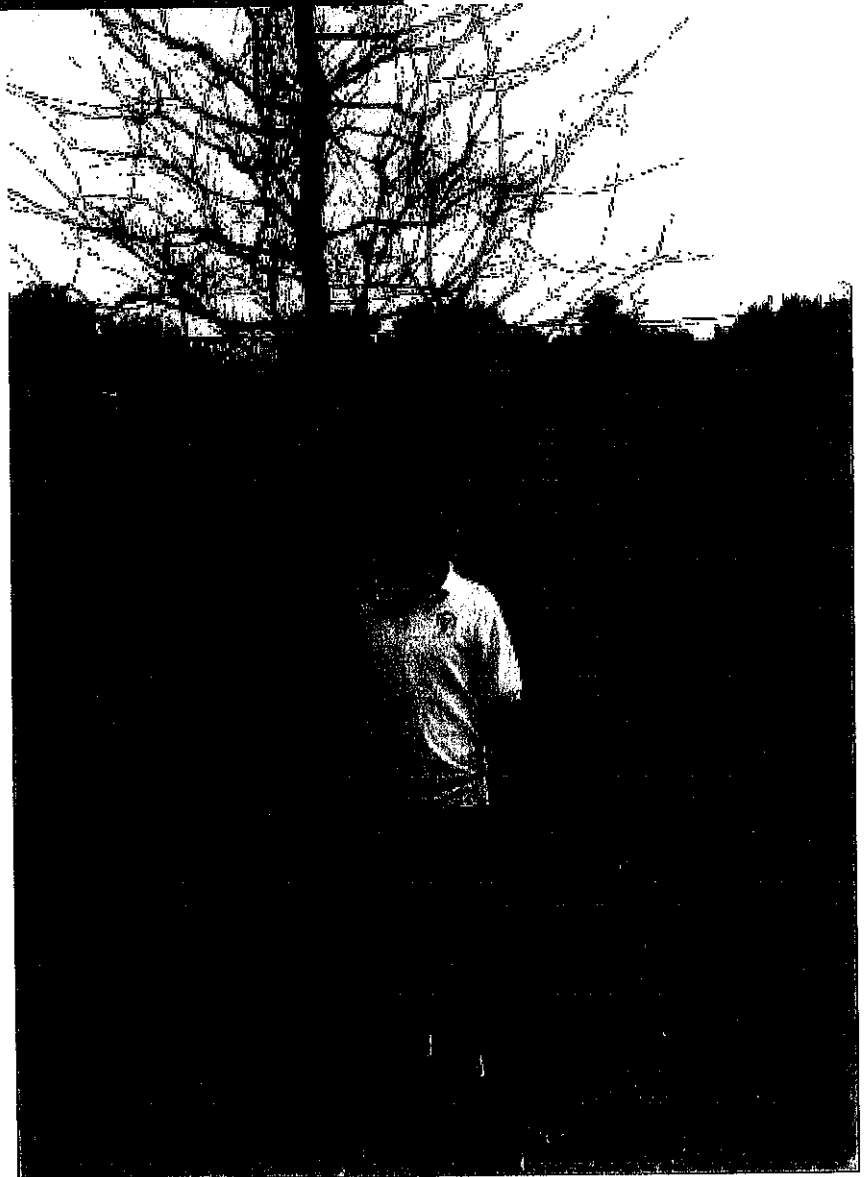


Aerial photo  
prior to  
current tree  
installation  
(new trees  
estimated)

Approx location of new  
tree to replace exist



1 of 2 existing  
oaks to be  
replaced with  
new Shade Tree  
(showing  
condition and  
height of  
branches at  
playground)





# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Board Members

Dan Keys  
Chair

Barbara Kuhl  
Dan Samaria  
Randy Wagoner  
John Zoeller

## Alternate

Lynn Fischer

## PARKS AND PARKWAYS ADVISORY BOARD ! MINUTES

January 26, 2011 6 P.M.  
Ed Burke Recreation Center  
11400 NE 9<sup>th</sup> Court

- I. CALL TO ORDER AND ROLL CALL  
Present: Dan Keys, Barbara Kuhl, Dan Samaria, Randy Wagoner, John Zoeller  
(until 7:40), Lynn Fischer (alternate)  
Introduction of new member – Dan Samaria – welcome!
- II. AGENDA ADDITIONS AND DELETIONS - none
- III. PUBLIC COMMENT (PERMITTED FOR EACH AGENDA ITEM)
- IV. APPROVAL OF MINUTES  
December 8, 2010 – Revised then unanimously approved.
- VI. OLD BUSINESS
  - A. Village staff status report
    1. NE 6<sup>th</sup> Ave. Median  
Our employees completed weeding; this median needs consistent maintenance to keep weeds under control.
    2. Tree removal permits  
Permits have not been applied for.
    3. Athletic field ( mole cricket control, weed control, mowing height, irrigation issues, resodding, fertilization)  
Issa reported: mole cricket and fire ant bait has been applied; the sports programs are coming to an end until the end of March; Kevin Hardy is coming to inspect the field and give recommendations; sprigging is being considered since it is the most cost effective; residents are regularly using the field and paying for its use; sprinklers have been adjusted. It was suggested that the Recreation Board address the issue that the Recreation Center does not bring in enough money to properly maintain its field. If the Village is renting its field, it has an obligation to keep it in good condition. Money must be found in the Village's budget to properly maintain the athletic field – it's an asset to the Park. Maintaining the field is more cost effective than having to periodically restore it. A motion was made by Dan Samaria and seconded by Barbara Kuhl: Issa

will research and give a report as to what services are needed to ensure that the field is in excellent condition by the end of next summer. The motion passed unanimously.

4. Village sign -- coconut palms

They can be moved by our employees if a backhoe is rented.

5. Median maintenance

Our manager is bidding this out next week.

6. Tree trimming --

Our manager is considering applying for a grant to cover tree trimming. It was stated, that the focus needs to be on caring for the trees we have. The last company that trimmed our trees did a very superficial job -- more extensive work is seriously needed. The following issues need to be considered: the health of the tree; its structure and shape; low branches that interfere with traffic; hazardous limbs. A motion was made by Barbara Kuhl and seconded by Randy Wagoner: It is recommended that the Village seek outside assistance to assess trimming of its trees, specifically targeting hazardous conditions and road clearance issues, and prioritize trimming needs. The motion passed unanimously.

7. Insect and disease control on Gumbo Limbo trees

They still need to be treated. A few young oaks also need treatment. Systemic treatment is best. It can be administered by our employees and is fairly safe for our wildlife.

8. Tree City USA application

Notification from the state has been received that Biscayne Park should be awarded this.

9. Foundation report Tree fund -- status of designated donations

The Foundation is still being established, but money that Parks and Parkways raised is designated for their projects.

B. Discussion -- next steps in planning process for median landscaping

1. Median sized trees
2. Moving trees in conflict with newly planted trees
3. Tree removals -- dead trees
4. Entrance projects
5. Mini Park Development  
Canal Parks and Griffing Park.

The next area to consider landscaping is between 113<sup>th</sup> and 114<sup>th</sup> Streets on 6<sup>th</sup> Avenue. John Zoeller asked if there should be an overall view of Biscayne Park's landscaping needs, including not only its planting but its outdoor furniture. It was discussed that in the past project money often comes from grants which to an extent dictates what projects are taken on. Our commission is constantly changing, bringing in new ideas and this has also slowed movement towards one goal. Landscape architects have been hired in the past, but as time goes by goals change. It was suggested that as landscaping is developed, educational elements should be included. It was expressed that each location needs to be individually evaluated to determine its needs and its character.

VII. NEW BUSINESS

A. Recommendation concerning Commissioner Bernard's donation for large tree.

Commissioner Bernard was asked to present his plan for replacing the ficus tree that was removed from the tot lot area. The tree selected to replace the large banyan tree is an oak – 25' high, 8-10" caliber, and a spread of 15-16'. The donated money covers the tree, its delivery, planting, an automatic watering system, and a 1 year warranty. 2 new oaks are not doing well. Commissioner Bernard stated that the contractor will remove them and replace them with any tree in any desired location. It was presented that play bars could be easily moved, allowing oak to be closer to playground equipment where it would provide more shade. A motion was made by Dan Samaria and seconded by John Zoeller: **The previous banyan will be replaced with the 25 foot oak tree. Our manager will arrange for the existing tree's removal.** The motion passed unanimously.

B. Discussion of landscaping City property between NE 113 St. and 114 St.

As a Martin Luther King memorial activity, Volunteers mulched the area to improve appearance. About \$800 was donated for landscaping this area. The Civic Club has about \$3,000 that has never been used and it is possible that this money could be asked for. With the funds that the Parks and Parkways board raised selling oak trees (+/- \$1,5000), there may be a total of about \$5,300.00 that could be used for this location and the Recreation Center's entrance. Resident Gary Kuhl brought a drawing of present landscaping. He suggested that the planting around the entrance sign be continued: fire bush, Jamaican caper, coco plum, oak, and perhaps senna for color. One of the goals is to hide the parking lot. It was suggested that sabal palms, saw palmettos, stoppers, pine trees be the base of the landscape. The board expressed a consensus that the existing royal palms would not be in keeping with these base plants and suggested that they be removed (most are not healthy). The possibility of a company removing the palms free for its own use is going to be explored. A separate permit would be needed for removing and replacing the palms. Connect to Protect, a project that restores former pine lands will be looked into for the possibility of funding or other assistance. A backhoe could trench the area and we could do the planting. Smaller plants could be used and heavily mulched. Motion was made by Barbara Kuhl and seconded by Dan Samaria: **Plans should be developed to landscape the area on 6<sup>th</sup> Ave. between 113<sup>th</sup> and 114<sup>th</sup> Streets with sabal palms, Dade County pines, and understory plants, removing the coconut palms and royal palms.** The motion passed unanimously.

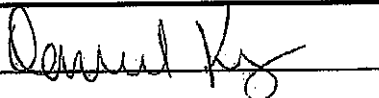
C. Landscaping plans for Recreation Center  
Board looked at plans previously developed.

D. Arbor Day 2011  
Discussion deferred

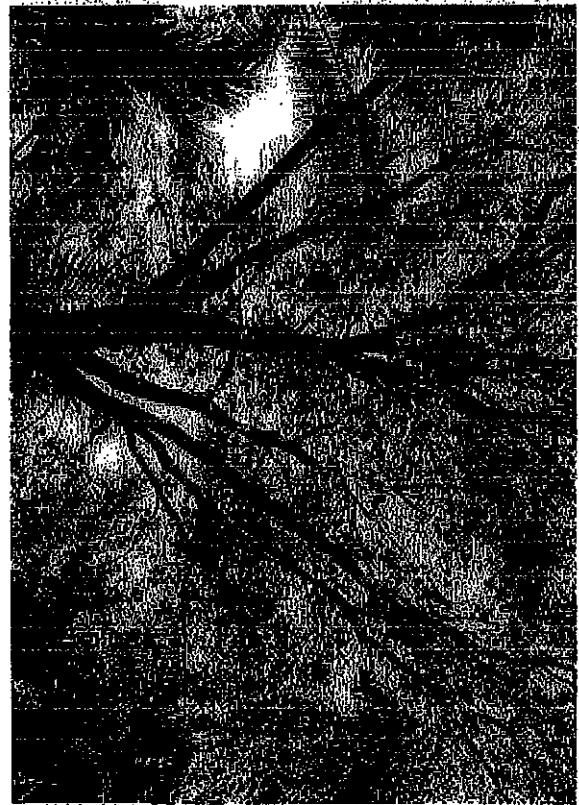
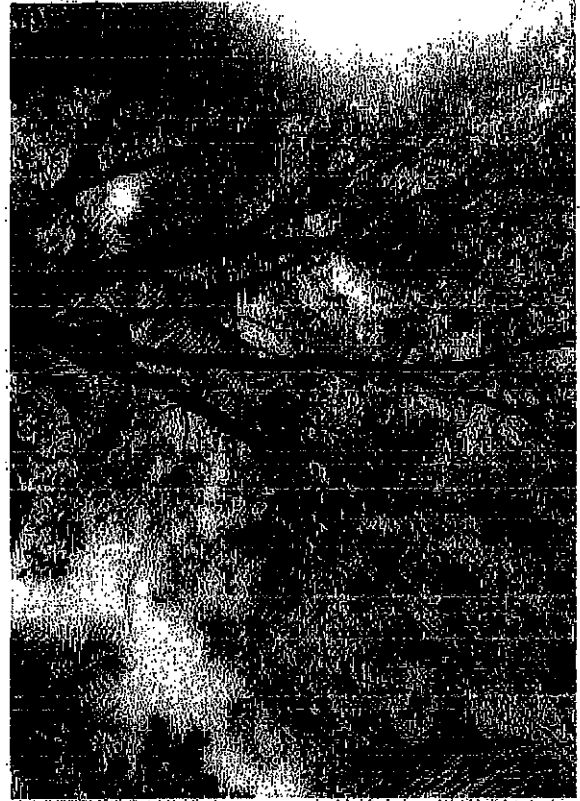
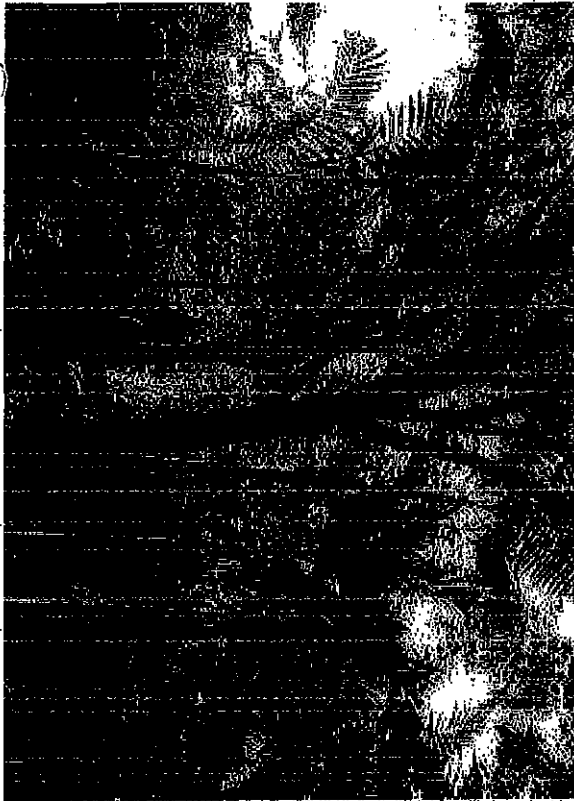
NEXT MEETING DATE – Tentative – February 16, 2011

ADJOURNMENT – 8:20 PM

Daniel Keys, Chair  
As approved



P.L.P meeting 1/26/11  
Steve Bernard  
Presentation (1)



1/26/14  
P&P meeting  
Steve Bernard  
Presentation #2



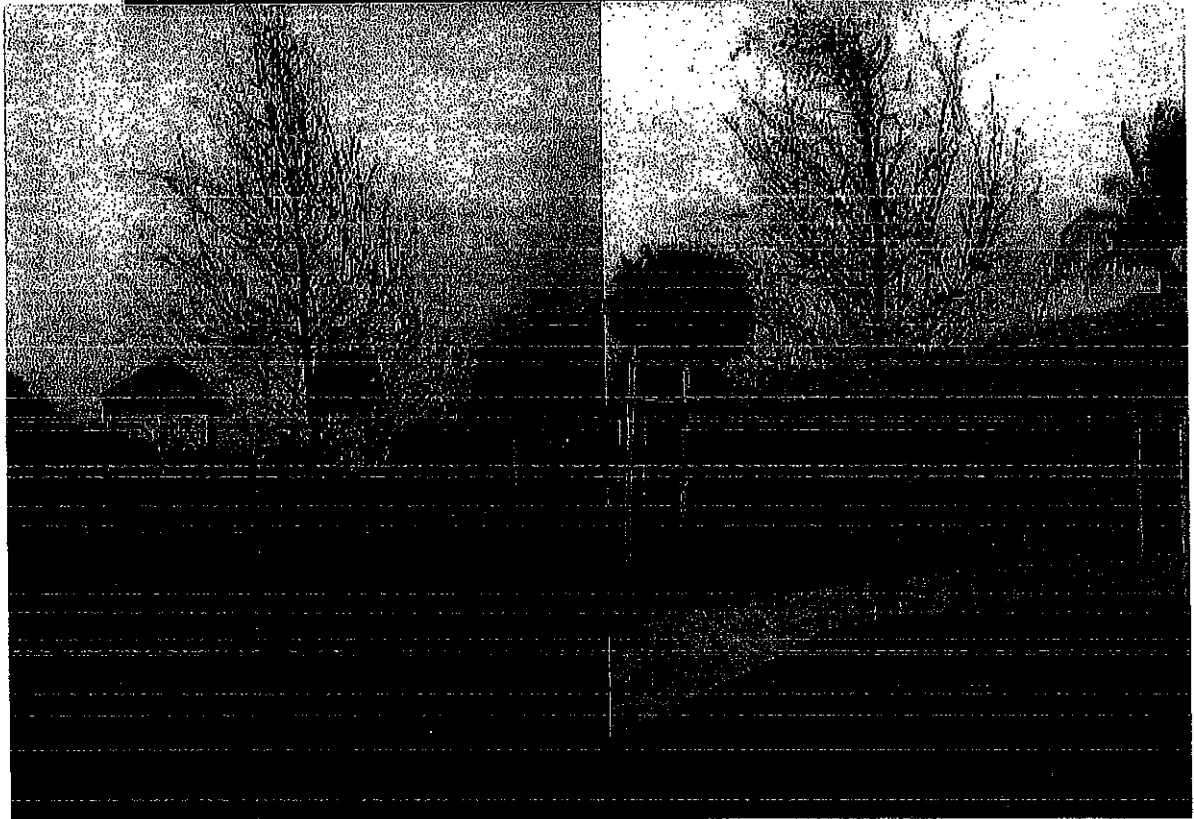
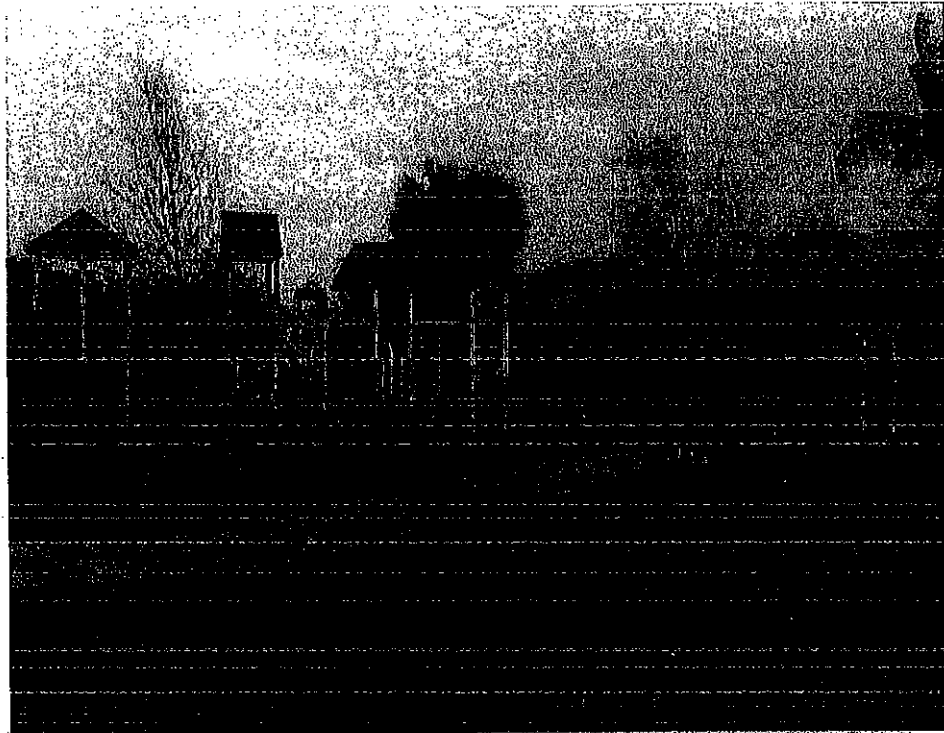
Previous tree  
location



Aerial photo  
prior to  
current tree  
installation  
(new trees  
estimated)

P+P meeting 1/26/11

Steve Bonnard  
pres@benbio(ES)

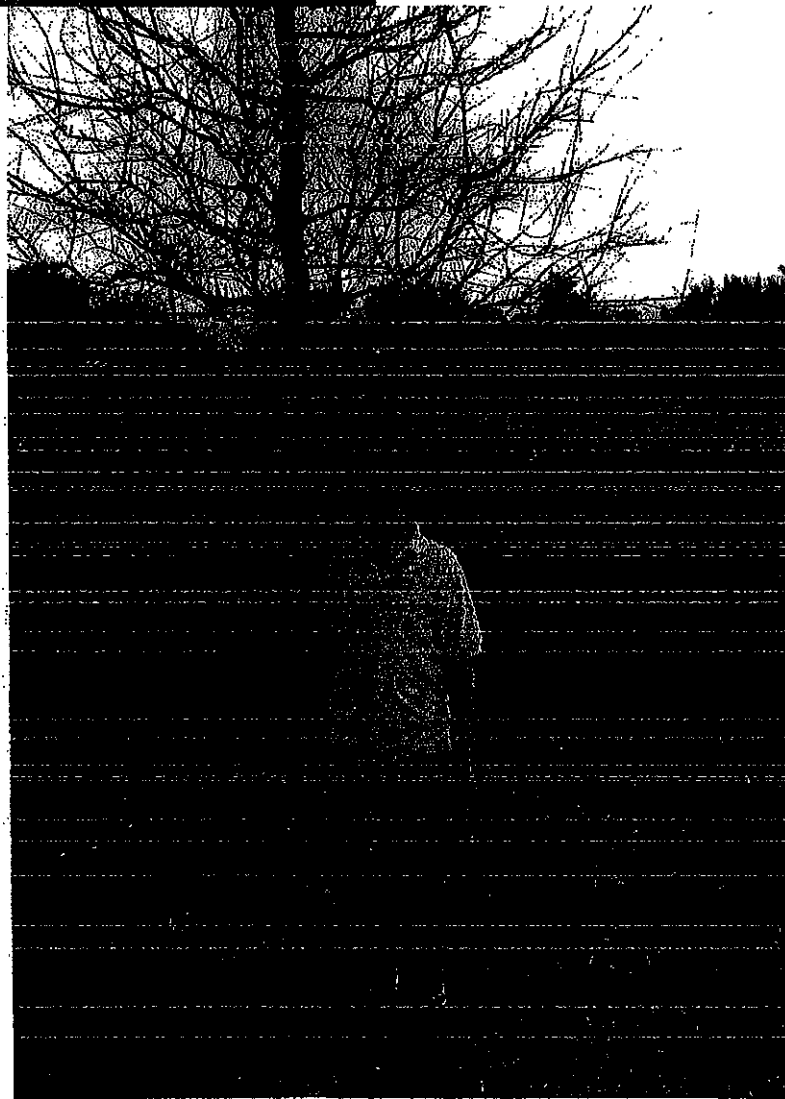


### Existing Oak Trees at Proposed Location

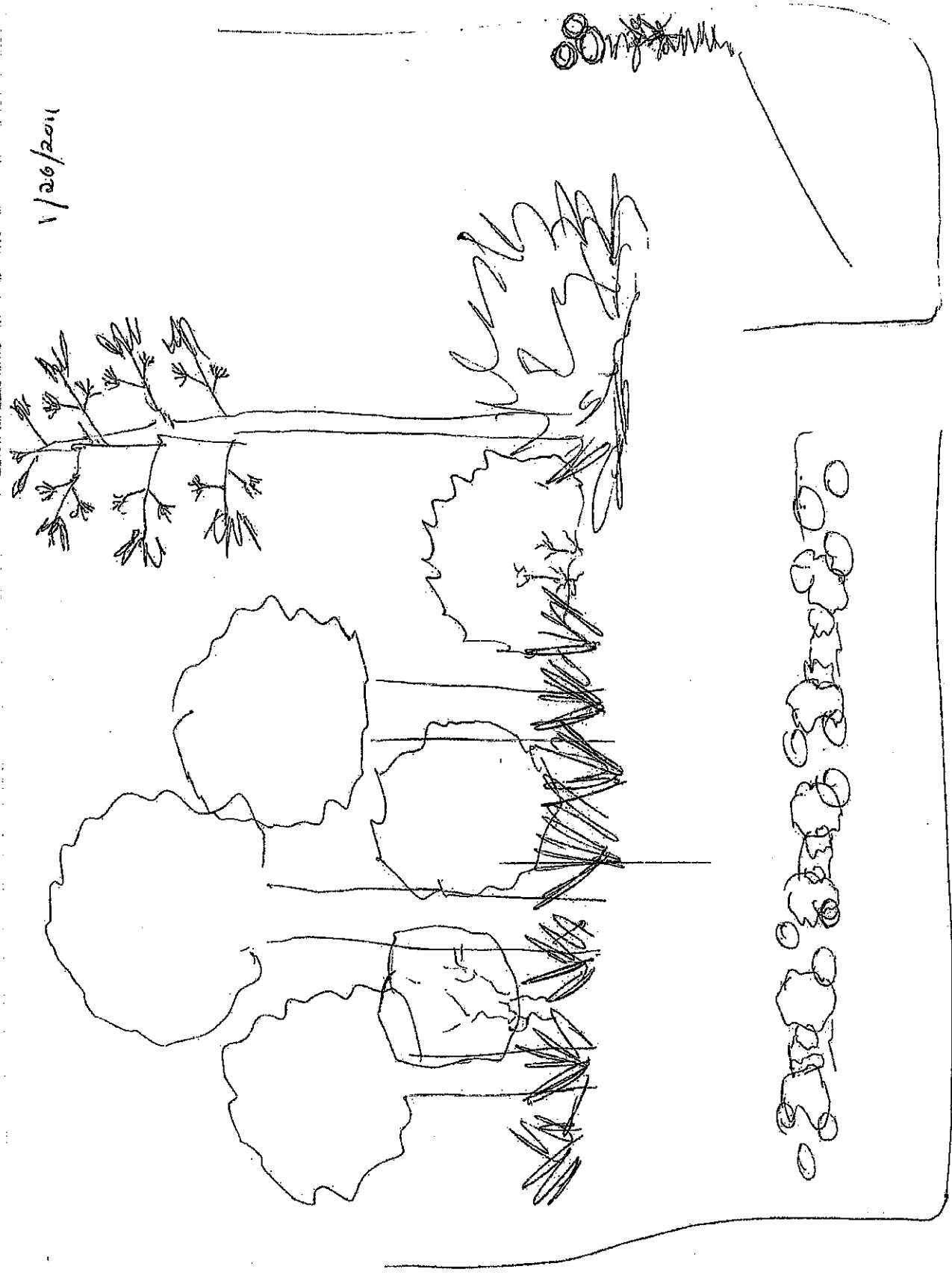
(Original Contractor will relocate new trees at no cost because these are not thriving)

P.P meeting 1/26/11

Steve Bernard  
presentation (pt 4)



1/26/2011



Sketch NE GA between 113 and 1145  
Don Keys P+P meeting 1/26/11



## Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161  
Tel: 305 899 8000  
Fax: 305 891 7241

### ECOLOGY BOARD MEETING MINUTES THURSDAY, FEBRUARY, 17, 2011

#### Board Members

Tracy Truppmann  
Chair

Matt Davis

Tom Pliske

Art Pyle  
Vice Chair

Victor Romano

#### Alternate

Linda Carrington

Pending Board  
Approval

1. **CALL TO ORDER:** The Ecology Board meeting was called to order at 6:30 p.m. by Vice Chairperson Art Pyle.
2. **ROLL CALL:** Board members present were Matt Davis, Tom Pliske and Art Pyle. Commissioner Steve Bernard arrived shortly after roll call.
3. **ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA:** Commissioner Bernard requested to present information regarding the donation of a specific live oak tree for the Ed Burke Recreation Center.
4. **OLD BUSINESS:**
  - a. **REVIEW AND APPROVE THE MINUTES FROM December, 16, 2010 MEETING:** Since there were only two members at tonight's meeting that were at the previous meeting, members agreed to postpone approving the minutes.
  - b. **SCHEDULED NEXT MEETING:** The next meeting will be Thursday, March, 17, 2011 @ 6:30 p.m.
5. **NEW BUSINESS:**
  - a. **Battery Recycling:** Ms. Pilar Aparicio of ECOBATT, a commercial battery-recycling firm, presented methods to recycle spent batteries. Their container would be located within the Park for the residence to recycle small batteries from flashlights, cell phones and other small electronic devices. ECOBATT picks up once a month for processing at a fee of \$500.00. They would be willing to reduce the container fee to \$ 350.00 for the first month to allow for an

initial assessment to see if the quantity being recycled would warrants the expenditure. The members agreed to discuss the presentation to the rest of our board for review.

- b. **Funds to Purchase Live Oak Tree for Recreation Center:** Commissioner Bernard made a presentation to our board explaining the specifics of why and how the donation process for a shade tree for the Ed Burke Recreation Center came about. Commissioner Bernard explained that the original intention of the donation was to provide a large shade tree. Commissioner Bernard showed photos of the oak and discussed the benefits of having "instant shade" and would not cost the village any monies. He stated the tree would have a one year warrantee but maybe able to be extended. Using this additional information the board amended our previous motion to include the following;  
*If the board was being directed to provide a recommendation to accept or decline a "free" large native oak tree, at no cost to the Village, to be planted at the Ed Burke Recreation Center, then the members would agree to amend the previous motion to accept a large native oak, even though we already have an abundance of oaks. We also recommend the Commission consider diversifying it's canopy with other native trees.*  
This motion carried 3 to 0 to amend as stated.
- c. **Septic systems:** Matt Davis provided an update on the septic tank legislation. It appears that the legislature is still a long ways from finalizing any plan. He will keep us up to date as thing occur.
- d. **Additional recycling:** We discussed the recycling of additional items such as old paint containers and pharmaceuticals and discussed the need to find ways to deal with these items.

**6. COMMENTS FROM THE PUBLIC:** See Item 5b.

**7. ANNOUNCEMENTS:** The next meeting will be Thursday, March, 17, 2011 at 6:30 p.m.

**8. ADJOURNMENT :** at 7:15 p.m

## village clerk

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**From:** Ana M. Garcia [villagemanager@biscayneparkfl.gov]  
**Sent:** Monday, April 04, 2011 11:41 AM  
**To:** 'Commissioner Bernard'  
**Cc:** villageclerk@biscayneparkfl.gov; vobparchives@biscayneparkfl.gov  
**Subject:** FW: tree planting

Vice Mayor Bernard and full commission, as promised here is the latest information I received from our Region Representative Mark Torok from the department of Forestry regarding tree size, and relevant information to assist in the decision making process regarding, the Tree, location etcetera. Thank you.

Ana M. Garcia, CPRP  
Village Manager  
640 NE 114th Street  
Biscayne Park, FL 33161  
Ph. 305.899.8000 ext. 229  
Fax. 305.891.7241  
[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)

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**From:** Torok, Mark [mailto:Mark.Torok@freshfromflorida.com]  
**Sent:** Friday, April 01, 2011 2:17 PM  
**To:** villagemanager@biscayneparkfl.gov; Marcus, Charlie  
**Cc:** villageclerk@biscayneparkfl.gov  
**Subject:** RE: tree planting

Ana,

I found this publication,  
[http://www.ag.auburn.edu/hort/landscape/hurricane BMPs2.html](http://www.ag.auburn.edu/hort/landscape/hurricane_BMPs2.html) , from Auburn University. It says that for every inch in caliper, a tree needs 6 months for establishment. So, keep that in mind. Also, in many cases the smaller caliper trees will surpass size of the larger caliper trees due to having a longer establishment period for larger trees and less vigor. Our grants require trees being 1.5 – 4 inch caliper size. Auburn suggests a "1.5 -3.5 inch caliper size unless instant effect is desired and good soil conditions permit a large planting." You could probably plant a larger caliper tree it will just take more time to establish. I probably wouldn't go pass the 6-8" caliper size. I think those larger/taller live oaks you planted not too far south of Village Hall were a good size tree for planting. If you decide to go with a larger tree (>8") for that instant effect, watering will be your key to success and staking will be necessary.

Let's see what Charlie thinks!

Have a great weekend!

Mark

**Mark B. Torok**  
Senior Forester  
FL Division of Forestry: Everglades District  
3315 SW College Ave  
Davie, FL 33314  
Phone: (954) 475-4194

4/7/2011

Fax: (954) 475-4126

E-mail: [Mark.Torok@freshfromflorida.com](mailto:Mark.Torok@freshfromflorida.com)

Serving Broward, Miami-Dade, Monroe & Palm Beach Counties

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**From:** Ana M. Garcia [<mailto:villagemanager@biscayneparkfl.gov>]

**Sent:** Friday, April 01, 2011 1:13 PM

**To:** Marcus, Charlie; Torok, Mark

**Cc:** [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)

**Subject:** tree planting

Good afternoon gentlemen, two quick questions what is the maximum caliper you recommend for new planting to ensure best survival of tree? What is the maximum caliper that the dept of forestry blesses if tree is used in conjunction with forestry grant? Thanks so much.

We are looking at a possible donation where donor wants to put a large tree in the middle of playground, and I want to make sure that safety is taken into consideration, thanks so much! Ana.

Ana M. Garcia, CPRP

Village Manager

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[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)

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Version: 9.0.894 / Virus Database: 271.1.1/3544 - Release Date: 04/01/11 02:36:00

4/7/2011



Date: 1/24/11

To: Clerk Maria Camara

From: Commissioner Steve Bernard

Re: February Agenda Item

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**AGENDA ITEM REQUEST:**

A **DISCUSSION** for an Ad Hoc Art Review Board

**BACKGROUND AND ANALYSIS:**

Due to the previous controversy caused by the June Donation by generous Biscayne Park Residents of a Sculpture for Village use without any formal Village policies or procedures for choosing, accepting, or locating Public Art, and due to the fact that the Mayor has informally sponsored another Sculpture Donation (see attached 1/2/11 email from Mayor), an Ad Hoc Art Review Board will serve to formalize any further Public Art donations by creating both policies for acceptance and locating, as well as to provide professional input for the guidance in collective decisions for our community.

It is recommended that the Board be made up of Residents who have either technical, practical, or formal educational experience with Public Art, and that their meetings be advertised by the Village, work under Sunshine Laws (including properly noticed Agendas and formally approved Minutes), and provide guidance as required for both donated and publicly purchased Public Art.

It should also be noted that most cities that accept Public Art donations has either a policy to review and accept or an Art Review Board, or both.

**FISCAL/BUDGETARY IMPACT:**

Unknown, would include use of Public Meeting Room, Clerk notifications via Email/Web/Posted Notice, time during Commission Meetings for Reports

**RECOMMENDATION: Approve**

-----Original Message-----

From: Rox Ross <rox@roxross.com>

To: ROX@roxross.com

Sent: Sun, Jan 2, 2011 10:27 pm

Subject: Happy New Year 2011 in the Village of Biscayne Park

Dear Neighbors,

(Note: unrelated content not included)

One related initiative taken up by cities nationwide, supported by the Florida League of Cities in partnership with DC-based Partners for Livable Community, is public art --- it has been said to instill neighborhood pride, value of public space, and serve as a deterrent for crime and violence. Public art throughout our Village may include murals and sculptures, traditional or abstract outdoor displays for viewing, or functional pieces like a bicycle rack, climbable structure or a simple bench for resting a spell as we walk through our Village. So, our first piece of donated public art is up for your viewing -- it's a small accent in one of our open spaces along 6 Ave at 114 St. I am interested in knowing your response to Triax Alpha V by Bilhenry Walker, and to public art in our Village in general.

There is a growing pool of donations for the purchase of a second piece of public art for the Village. Biscayne Park being the unique place that it is, I have no doubt that we have more than a fair share of artist of varying experience and disciplines to guide us in collective decisions for our community, and I welcome your contributions and suggestions for the best use of these pooled donations. So far, the proposed piece is created by Rob Lorenson titled Xs and Os #5 -- attached is a pic for your consideration. If you are interested in contributing comment, time, energy or cash to these community efforts, please let me know.

Thank you for allowing me the privilege to serve as your Mayor. I wish you all good health, love and joy in the New Year. Rox

Village of Biscayne Park

640 NE 114 Street

Biscayne Park, FL 33161

Village Hall -- 305-899-8000

Cell Phone -- 305-710-0620

**village clerk**

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**From:** Bryan Cooper [bryancooper7@yahoo.com]  
**Sent:** Friday, January 28, 2011 9:24 PM  
**To:** villagemanager@biscayneparkfl.gov  
**Cc:** Village clerk; Archives  
**Subject:** Re: badges; agenda item for March meeting

Ms. Garcia:

Per you question below....I do not have (and would never accept) a badge.

Please place the below on the agenda for the March meeting. I have no backup documentation; nor is there a cost analysis.

Date: January 28, 2011

To: Clerk; Manager

From: Bryan Cooper

**Re: Police-style badges given to Commissioners**

**Background Analysis: None.**

**Fiscal/Budgetary Impact: None.**

**Recommendation: None at this time; To be discussed before the full Commission.**

Bryan Cooper

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**From:** Ana M. Garcia <villagemanager@biscayneparkfl.gov>  
**To:** Rox Ross <rox@roxross.com>; Steve Bernard <steve@stevebernardarchitect.com>; Commissioner Bob Anderson <banderson@biscayneparkfl.gov>; Al Childress <albertchildress@yahoo.com>; Bryan Cooper <bryancooper7@yahoo.com>  
**Cc:** Village clerk <villageclerk@biscayneparkfl.gov>; Archives <vobparchives@biscayneparkfl.gov>  
**Sent:** Fri, January 28, 2011 5:06:12 PM  
**Subject:** badges

Good afternoon all, Tom from the herald called me as he is doing a story on North Miami and badges for officials. How many of you have badges? This varies from City to City. If you have already answered this please disregard. Thank you.

Ana M. Garcia, CPRP  
Village Manager  
640 NE 114th Street  
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[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)